

110TH CONGRESS
2D SESSION

H. RES. 1227

Condemning sexual violence in the Democratic Republic of the Congo and calling on the international community to take immediate actions to respond to the violence.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2008

Mrs. MALONEY of New York (for herself and Mr. MILLER of North Carolina) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Condemning sexual violence in the Democratic Republic of the Congo and calling on the international community to take immediate actions to respond to the violence.

Whereas the situation in the eastern Democratic Republic of the Congo has been recognized as the worst crisis of violence against women in the world, according to the United Nations Special Rapporteur on Violence Against Women;

Whereas the Democratic Republic of the Congo has experienced the world's deadliest crisis since World War II, with 5.4 million deaths since 1998;

Whereas hundreds of thousands of women and girls have experienced an exceptionally violent type of rape in the

Democratic Republic of the Congo, and the full extent of incidence of sexual violence is unknown as most survivors live in inaccessible areas, are afraid to report the attacks, experience repeated rapes, or did not survive them;

Whereas sexual violence is used as a method of warfare by all parties to the conflict in the Democratic Republic of the Congo as a means to terrorize and destabilize entire communities;

Whereas in 2007, it was estimated that 70 percent of all rapes in South Kivu were committed by nonstate armed groups, including foreign militia from Burundi, Rwanda, and Uganda, 16 percent by Democratic Republic of the Congo military forces, and 14 percent by civilians;

Whereas control over the Democratic Republic of the Congo's natural resources is central to the ongoing conflict;

Whereas in 2002, the United Nations Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo considered nine United States business enterprises to be in violation of the OECD Guidelines for Multi-national Enterprises;

Whereas, on July 30, 2007, the United Nations Special Rapporteur on Violence Against Women reported, "Women are brutally gang raped, often in front of their families and communities. In numerous cases, male relatives are forced at gun point to rape their own daughters, mothers or sisters. Frequently women are shot or stabbed in their genital organs, after they are raped. Women, who survived months of enslavement, [said] that their tormentors had forced them to eat excrements or the human flesh of murdered relatives";

Whereas rape with the use of knives, gun barrels, beer bottles, cassava roots, or sticks can result in a tear or fistula between a woman's vagina and bladder or rectum, or both, causing the development of traumatic gynecologic fistula;

Whereas women and young girls have even had their mouths cut off by their attackers so that they won't report the crime to authorities;

Whereas survivors of sexual violence are at an increased risk for unwanted pregnancy and sexually transmitted infections, including HIV and long-term psychological trauma;

Whereas the Panzi Hospital, a specialized institution in South Kivu, receives about 3,500 cases annually of women who suffer from traumatic fistula and other severe genital injuries resulting from these sexualized atrocities;

Whereas at Heal Africa Hospital in Goma, doctors reported treating 4,800 rape victims who required medical treatment and in 2005, they performed 242 fistula-repair operations;

Whereas since 2002, over 40,000 survivors have accessed International Rescue Committee-supported services, including psychosocial support, medical care, legal assistance, and socioeconomic support;

Whereas current activities to treat survivors meet only a portion of the need;

Whereas the scope of the sexual violence affects women and girls of all ages, from 10 months to 80 years old;

Whereas a culture of impunity continues and rape has become a societal norm;

Whereas in July 2006, the Congolese Parliament passed the Law on the Suppression of Sexual Violence, which attempted to strengthen penalties and criminal procedures, but in reality, little action has been taken by the authorities to implement the law and perpetrators continue to enjoy impunity;

Whereas, on October 31, 2000, the United Nations Security Council adopted Security Council Resolution 1325, which calls on all parties to an armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all actors involved in peace processes to adopt a gender perspective, including through the involvement of women in all stages of peace processes and support local women's peace initiatives and indigenous processes for conflict resolution;

Whereas the Rome Statute of the International Criminal Court, which entered into force on July 1, 2002, states that rape “and any other form of sexual violence of comparable gravity” may constitute both “crimes against humanity” and “war crimes”; and

Whereas the United States Government has codified its commitment to the Democratic Republic of the Congo through the Democratic Republic of the Congo Relief, Security, and Democracy Promotion Act of 2006 (Public Law 109–456): Now, therefore, be it

- 1 *Resolved*, That the House of Representatives—
- 2 (1) strongly condemns the use of all forms of
- 3 sexual violence, including rape, in the Democratic
- 4 Republic of the Congo;

1 (2) condemns the actions of all armed groups in
2 the Democratic Republic of the Congo, including mi-
3 litias and rebel groups, such as the Forces
4 Démocratiques de Libération du Rwanda (FDLR),
5 Mai-Mai Militia, and the Front for Patriotic Resist-
6 ance of Ituri, that have created a culture of impu-
7 nity for rape and sexual violence;

8 (3) calls on the Government of the Democratic
9 Republic of the Congo to develop a strategy to ad-
10 dress and end the large-scale sexual violence in the
11 Democratic Republic of the Congo by—

12 (A) protecting its civilians from violence
13 and to respect and enforce the rule of law in ac-
14 cordance with international norms and stand-
15 ards;

16 (B) holding all armed groups accountable
17 for their actions by implementing judicial re-
18 forms to investigate, arrest, and try suspected
19 criminals;

20 (C) prosecuting and punishing members of
21 the Congolese Armed Forces who have com-
22 mitted crimes of sexual violence and other
23 atrocities; and

24 (D) establishing a verification mechanism
25 to ensure that officers with a track record of

1 criminal activity and rape do not receive impor-
2 tant posts in the Congolese Armed Forces, the
3 national police, and other security services;

4 (4) urges an increased effort by the United
5 States through the Department of State and other
6 donor countries to provide greater assistance to the
7 Democratic Republic of the Congo for police and
8 military human rights education and training, and
9 training for those in the judicial and law enforce-
10 ment sector in order to improve their ability to in-
11 vestigate and prosecute rapists;

12 (5) strongly urges the United States Agency for
13 International Development to increase its assistance
14 to victims of rape and sexual violence in the Demo-
15 cratic Republic of the Congo by investing greater re-
16 sources to nongovernmental organizations to provide
17 health care services and medical supplies, psycho-
18 logical and social counseling, and legal advice to vic-
19 tims of rape and sexual violence;

20 (6) encourages the Secretary of State, in line
21 with the policy objectives set forth in the Democratic
22 Republic of the Congo Relief, Security, and Democ-
23 racy Promotion Act of 2006 (Public Law 109–456),
24 to support the Democratic Republic of the Congo
25 and neighboring countries in their implementation of

1 the Great Lakes Pact and its protocol on the Pre-
2 vention and Suppression of Sexual Violence Against
3 Women and Children;

4 (7) calls on the Secretary of State to appoint a
5 special envoy to the Democratic Republic of the
6 Congo to sustain United States engagement in a
7 peace process and stabilization programs, and to
8 continue its leadership towards the implementation
9 of the Nairobi communiqué;

10 (8) encourages the Secretary of State to con-
11 tinue to work with the heads of the other agencies
12 implementing programs in the Democratic Republic
13 of the Congo to develop a plan for systematically as-
14 sessing the United States Government's overall
15 progress in achieving the policy objectives of the
16 Democratic Republic of the Congo Relief, Security,
17 and Democracy Promotion Act of 2006;

18 (9) calls on the Secretary of State to encourage
19 the Congolese Government to refer individuals or
20 armed groups found guilty of rape and sexual vio-
21 lence consistent in magnitude to crimes against hu-
22 manity and war crimes to an international criminal
23 court system;

24 (10) encourages the international community to
25 ensure greater coordination in its response to sexual

1 violence and to provide further humanitarian assist-
2 ance, particularly social development assistance of-
3 fering psychosocial support, medical assistance, civic
4 education aimed at preventing sexual violence, and
5 reintegration support to survivors of sexual and gen-
6 der-based violence in the eastern Democratic Repub-
7 lic of the Congo;

8 (11) reaffirms its support for constitutional
9 government, the rule of law, human rights, and
10 democratic processes in the Democratic Republic of
11 the Congo and calls upon regional African leaders to
12 support the preservation of a democratic political
13 system in the country;

14 (12) encourages full implementation of United
15 Nations Security Council Resolution 1325 and re-
16 lated law and policy on the protection of women and
17 girls and the promotion of their rights by empha-
18 sizing the responsibilities of all countries to put an
19 end to impunity and to prosecute those responsible
20 for genocide crimes, including those related to sexual
21 and other forms of violence against women and girls;

22 (13) calls on the Secretary General of the
23 United Nations and the permanent members of the
24 Security Council to immediately take steps to—

1 (A) ensure that the United Nations Mis-
2 sion in the Democratic Republic of the Congo
3 (MONUC) is fully funded to increase troop
4 presence in the eastern Kivu provinces;

5 (B) deploy MONUC to areas where sexual
6 violence is most prevalent;

7 (C) include an adequate number of female
8 troops and police in MONUC to properly man-
9 age incidents of rape and sexual violence; and

10 (D) provide more in depth and continuing
11 gender sensitive training to its peacekeepers;
12 and

13 (14) encourages a transparent process for the
14 government of the Democratic Republic of the Con-
15 go's review of contracts mining and strongly encour-
16 ages United States companies investing and oper-
17 ating in the Democratic Republic of the Congo exert
18 oversight concerning where their products are com-
19 ing from and who is benefitting from the trade.

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